

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

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Ema Financial, LLC,

**Plaintiff,**

-against-

Vystar Corp.,

**Defendant.**  
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ANDREW L. CARTER, JR., District Judge: x

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DATE FILED: August 20, 2021

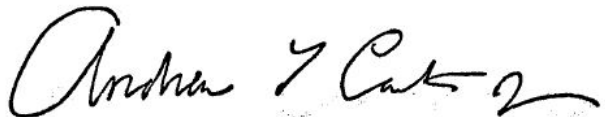
**1:19-CV-1545-ALC-GWG**

**ORDER**

The Court is in receipt of the Parties' pre-motion conference letters in connection with Defendant's request that this Court consider supplemental authority from the First Circuit Court of Appeals in deciding its pending motion (ECF No. 116) or, alternatively, permit the parties limited supplemental briefing on an expedite schedule. ECF Nos. 140, 145. Upon review of the submissions, Defendant's request for a pre-motion conference is **DENIED**. Defendant's request for leave to file limited supplemental briefing -- which the Court construes as a request to file a sur-reply -- is **GRANTED**. The Parties are **ORDERED** to confer and propose a briefing schedule to this Court no later than **August 24, 2021**.

**SO ORDERED.**

Dated: August 20, 2021  
New York, New York



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**ANDREW L. CARTER, JR.**  
**United States District Judge**